

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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HITLER CALLE,

Plaintiff,

-against-

PIZZA PALACE CAFÉ LLC (d/b/a PIZZA PALACE),
SASHA ISHAQOV, YURI ISHAQOV, and VLADY
DJOURAEV,

Defendants.

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Case No.: 1:20-cv-4178 (LDH) (LB)

NOTICE OF MOTION

PLEASE TAKE NOTICE, that pursuant to Rule 72(a) of the Federal Rules of Civil Procedures (hereinafter “Rules” or “Rule”), the Memorandum of Law in Support, the Declaration of Emanuel Kataev, Esq. with its accompanying exhibits, the Declaration of Alexander Ishakov, and all the papers and pleadings in this case, Defendants Sasha Ishaqov, Yuri Ishaqov, and Vlady DjouraeV (collectively hereinafter the “Individual Defendants”) will respectfully move this Court before the Hon. LaShann DeArcy Hall, U.S.D.J., on a date and time to be determined by the Court, for an Order setting aside the Hon. Lois Bloom, U.S.M.J.’s Report & Recommendation, dated December 20, 2023, denying their consent motion to vacate the default judgment pursuant to Rule 60¹ to vacate the default judgment, vacating the default judgment entered against the Individual Defendants, vacating and lifting all restraining notices issued against the Individual Defendants, staying all judgment enforcement efforts against the Individual Defendants, as well as for such other and further relief as this honorable Court deems just, equitable, and proper.

¹ The Individual Defendants also renew their prior motion pursuant to Rule 60(b)(4) on the grounds that service was not properly effectuated.

PLEASE TAKE FURTHER NOTICE, that – pursuant to the Local Civil Rule 6.1(b) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York – opposition papers must be served within fourteen (14) days of service of the moving papers, and reply papers must be served within seven (7) days of service of the opposition papers.

Dated: Lake Success, New York
January 10, 2024

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